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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/716,893

11/18/2003

Gary Edward Peterson

206,270

8694

7590 01/05/2010
Abelman, Frayne & Schwab
666 Third Avenue, 10th Floor
New York, NY 10017

EXAMINER

PILLAI, NAMITHA

ART UNIT

PAPER NUMBER

2173

MAIL DATE

DELIVERY MODE

01/05/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/716,893	Applicant(s) PETERSON, GARY EDWARD	
	Examiner NAMITHA PILLAI	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/25/09</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The Examiner acknowledges Applicant's submission on 3/16/09 including a 131 affidavit. The affidavit filed on 3/16/09 under 37 CFR 1.131 is sufficient to overcome the Kumar reference. All claims are rejected for being disclosed in the prior art below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U. S. Publication No. 2002/0143578 A1 (Cole et al.), herein referred to as Cole.

Referring to claim 1, Cole discloses an interactive risk management system comprising a computer including a processor, an input device, a display for displaying a graphic user interface including a browser, and a memory (Figure 1 and page 1, paragraph 8, lines 5-10). Cole discloses a mapping of a plurality of processes and at least one risk message associated with at least one of the plurality of processes stored in the memory (page 1, paragraph 8). Cole discloses that the processor, in response to user selections through the input device, displays to the user through the browser the mapping of the plurality of processes (Figure 3 and page 1, paragraph 8). Cole

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discloses that each of a set of the displayed processes having an associated user actuatable display region and wherein the processor, in response to user actuation of an actuatable display region of a selected process, displays to the user through the browser the at least one risk message associated with the selected process (Figure 6 and page 1, paragraph 8). Cole discloses allowing the user to gain information about the selected process and its associated risks (page 1, paragraph 8).

Referring to claims 2 and 13, Cole discloses that the memory is accessible through a computer network, whereby any user, using the browser and communicating via the computer network, may access and view the mapping and may actuate the actuatable display regions to selectively view the at least one risk message (Figure 1 and page 1, paragraph 8).

Referring to claims 3 and 14, Cole discloses that the computer network is an intranet (page 1, paragraph 8, lines 1-7).

Referring to claims 4 and 15, Cole discloses that the computer network is the Internet (page 1, paragraph 8, lines 1-7).

Referring to claims 5 and 16, Cole discloses that the actuatable display regions are associated with link data addressing linkable data stored in the memory and wherein the processor, in responsive the actuation of a selective actuatable display region, communicates with the memory via a respective link data to retrieve the corresponding linkable data (Figure 1 and page 1, paragraph 8).

Referring to claims 6 and 17, Cole discloses that the link data is a hyperlink (Figure 1).

Referring to claims 7 and 18, Cole discloses that the processor operates mapping software to display the mapping and the plurality of processes as graphical representations on the display (Figure 1 and page 1, paragraph 8).

Referring to claim 8, Cole discloses that the mapping software displays a graphical stop sign image on the display to indicate risk information available to the user (Figure 14).

Referring to claim 9, Cole discloses that the mapping software displays the processes in a multi-dimensional format (Figure 3).

Referring to claims 10 and 19, Cole discloses that the mapping software displays subsets of the plurality of processes in a plurality of horizontal tracks, with the horizontal tracks oriented one above the other vertically (Figure 6).

Referring to claims 11 and 20, Cole discloses that the mapping software is graphics software (Figure 1).

Referring to claim 12, Cole discloses an interactive risk management method for providing risk information associated with one or more of a plurality of processes (page 1, paragraph 8). Cole discloses providing a computer including a processor, an input device, a display, and a memory (Figure 1). Cole discloses displaying a graphic user interface including a browser on the display, storing in the memory a mapping of a plurality of processes, storing in the memory at least one risk message associated with at least one of the plurality of processes (page 1, paragraph 8). Cole discloses receiving at the processor user command signals entered through the input device (page 1, paragraph 8). Cole discloses displaying to the user through the browser the

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mapping of the plurality of processes, with each of a set of the displayed processes having an associated actuatable display region (Figure 6 and page 1, paragraph 8).

Cole discloses receiving at the processor signals corresponding to user actuation of an actuatable display region of a selected process (page 1, paragraph 8). Cole discloses displaying to the user through the browser, in response to the user actuation, the at least one risk message associated with the selected process, thereby allowing the user to gain information about the selected process and any associated risk (page 1, paragraph 8).

Response to Arguments

3. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Responses to this action should be submitted as per the options cited below: The United States Patent and Trademark Office requires most patent related correspondence to be: a) faxed to the Central Fax number (571-273-8300) b) hand carried or delivered to the Customer Service Window (located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), c) mailed to the mailing address set forth in 37 CFR 1.1 (e.g., P.O. Box 1450, Alexandria, VA 22313-1450), or d) transmitted to the Office using the Office's Electronic Filing System.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached from 8:30 AM - 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, Kieu Vu can be reached on (571) 272-4057.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Namitha Pillai
Patent Examiner
Art Unit 2173
January 3, 2010

/Namitha Pillai/

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Primary Examiner, Art Unit 2173